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CERTIFICATE OF FACSIMILE PURSUANT TO 37 C.F.R. § 1.8

I hereby certify that this Reply and Amendment along with the Terminal Disclaimer are being transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: February 14, 2006By: Deborah A. MeierPATENTIN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

| | | | |
|--------------|--------------------------------------------------------|-------------------|------------------------|
| Applicant: | Kishore Tipirneni | Docket No.: | 40500.0117 |
| Serial No.: | 10/779,392 | Group Art Unit: | 3738 |
| Filing Date: | February 17, 2004 | Examiner: | Robert W. Amareld, Jr. |
| Title: | SYSTEM AND METHOD FOR FIXATION OF BONE FRACTURES | Confirmation No.: | 9636 |

REPLY AND AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Dear Commissioner:

In reply to the Office Action dated November 16, 2005, wherein this Reply is timely filed within the three-month shortened statutory period for reply, please consider the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Serial No. 10/779,892
Docket No. 40500.0117

Dependent claims 22-23 variously depend from independent claim 11, so Applicant asserts that claims 22-23 are differentiated from the cited references for the same reasons as set forth above, as well as in view of their own respective features.

The Examiner next asserts that claims 1, 8 and 9 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,736,819. Applicant respectfully traverses this rejection; however, to expedite prosecution, Applicant files herewith an appropriate Terminal Disclaimer.

The Examiner next asserts that claims 17 and 19 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 2 of U.S. Patent No. 6,736,819. Applicant respectfully traverses this rejection; however, to expedite prosecution, Applicant files herewith an appropriate Terminal Disclaimer.

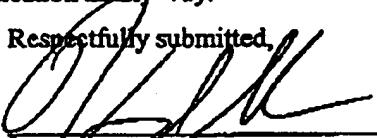
New dependent claims 25-26 variously depend from independent claim 1, so Applicant asserts that claims 25-26 are differentiated from the cited references for the same reasons as set forth above, as well as in view of their own respective features.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814. Specifically, but not limited to:

| | |
|-------------------------------------------|---------|
| Terminal Disclaimer Fee (37 CFR 1.20(d)) | \$65.00 |
| Two new dependent claims (37 CFR 1.16(i)) | \$50.00 |

Based on the foregoing remarks and amendments, Applicant respectfully submits that the present application is in condition for allowance, and earnestly solicits a Notice of Allowance at the Examiner's earliest convenience. The Examiner is invited to telephone the undersigned if such would advance prosecution of this application in any way.

Respectfully submitted,



Howard Sobelman
Reg. No. 39,038

Dated: February 14, 2005

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PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

10779892
40500.0117

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

| | | |
|----------------------------------|--------------------------|--------------|
| TOTAL CLAIMS | 24 | |
| FOR | NUMBER FILED | NUMBER EXTRA |
| TOTAL CHARGEABLE CLAIMS | 24 minus 20 = | * 4 |
| INDEPENDENT CLAIMS | 4 minus 3 = | 1 |
| MULTIPLE DEPENDENT CLAIM PRESENT | <input type="checkbox"/> | |

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY
TYPE OTHER THAN
OR SMALL ENTITY

| | | | |
|-----------|--------|-----------|--------|
| RATE | FEES | RATE | FEES |
| BASIC FEE | 385.00 | BASIC FEE | 770.00 |
| XS 9= | | XS18= | |
| X43= | | X86= | |
| +145= | | +290= | |
| TOTAL | | OR TOTAL | |

OTHER THAN
SMALL ENTITY

SMALL ENTITY

OR

| | | | |
|---------------------|-------------------|---------------------|-------------------|
| RATE | ADDITIONAL FEE | RATE | ADDITIONAL FEE |
| X\$ 9= | 50.00 | X\$18= | |
| X43= | | X86= | |
| +145= | | +290= | |
| TOTAL ADDIT. FEE | 50.00 | TOTAL ADDIT. FEE | |

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

| AMENDMENT | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|------------------------------------------------|-------------------------------------------|--------------------------|---------------------------------------------|------------------|
| Total | * 26 | Minus | ** 24 | = 2 |
| Independent | * 4 | Minus | *** 4 | = 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | <input type="checkbox"/> | | |

SMALL ENTITY

OR

| | | | |
|---------------------|-------------------|---------------------|-------------------|
| RATE | ADDITIONAL FEE | RATE | ADDITIONAL FEE |
| X\$ 9= | 50.00 | X\$18= | |
| X43= | | X86= | |
| +145= | | +290= | |
| TOTAL ADDIT. FEE | 50.00 | TOTAL ADDIT. FEE | |

(Column 1)

(Column 2)

(Column 3)

| AMENDMENT B | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|------------------------------------------------|-------------------------------------------|--------------------------|---------------------------------------------|------------------|
| Total | * | Minus | ** | = |
| Independent | * | Minus | *** | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | <input type="checkbox"/> | | |

RATE

ADDITIONAL
FEE

RATE

ADDITIONAL
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